



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,034	12/04/2000	Alex D. Poon	3801.P011	6836
49845	7590	06/19/2006	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH/EBAY P.O. BOX 2938 MINNEAPOLIS, MN 55402			AIRAPETIAN, MILA	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/730,034		POON, ALEX D.	
	Examiner		Art Unit	
	Mila Airapetian		3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment received on 03/24/2006 is acknowledged and entered. Claims 1-29 are currently pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over French (US 6,263,447) in view of Harrington (US 6,161,099).

Claim 1. French et al. teaches a method for authentication of network users, comprising:

identifying, in the network-based auction facility, a user associated with a registration process within the network-based auction facility (abstract and col. 6, lines 14-24);

assigning, in the network-based auction facility, a verification rating to the

Art Unit: 3625

user based on accuracy of registration information submitted by the user during the registration process (col. 7, lines 4-12, col. 11, line 28 through col. 12, line 29; the Examiner interprets the "authenticity certainty score" as the "verification rating".

registering the user with the network-based auction facility if the verification rating exceeds a predetermined threshold, to allow the user to conduct sale and purchase transactions with other users in the network-based auction facility (submitting personal information by the user including name, address, SS#, telephone number, etc, indicates registering step , col. 6, lines 19-24, wherein information provided by the user is accepted if the value of the "authenticity certainty score" (verification rating) of said information is at the increased level of certainty (exceeds a predetermined threshold; col. 12, lines 15-18).

However, French et al. does not specifically teach that said registering step is conducted in auction environment.

Harrington et al. teaches a method for conducting auctions over electronic networks, wherein a user is required to register (to enter his/her name, address, telephone number, etc.,) as a condition to entering the auction; Fig. 4, col. 8, lines 29-43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify French et al. to include conducting said user registering step in the auction environment, as disclosed in Harrington et al., because it would advantageously enhance the security of the transaction system and prevent the E-commerce system from fraud.

Art Unit: 3625

Claim 2. French further teaches:

performing a set of validity checks on the registration information of the user
(col.7, line 46 through col.11, line 27);

determining a result of each validity check within the set of validity checks (col.7,
line 46, through col.11, line 27 and col.12, lines 30-37) ; and

calculating the verification rating based on the result of each validity check
(col.11, line 28 through col.12, line 29).

Claim 3. French teaches said method wherein each validity check verifies validity
of a corresponding piece of the registration information of the user (col.7, line 46
through col.11, line 37).

Claim 4. French teaches utilizing a set of verification rules to define the set of
validity checks, and translating the result of each validity check into a numerical value
(col.2, lines 48-56, col.12, lines 14-29).

Claim 5. French teaches creating a verification detail record using the result of
each validity check; and storing the verification detail record in a database (Fig. 13-16,
col.5, line 66 through col.6, line 9).

Claim 6. French teaches storing the verification rating of the user in a database
(Fig.13-16, col.5, line 66 through col.6, line 9).

Claim 7. French teaches said method wherein the registration information
comprises demographic information of the user (Table 1, col.11, lines 38-51).

Claim 8. French teaches maintaining a database of valid demographic
information (Table 1, col.11, lines 38-51); and

determining whether demographic information entered by the user matches any of the valid demographic information from the database (Table 1, col.11, lines 38-51).

Claim 9. French teaches said method wherein the valid demographic information defines correlation between a plurality of area codes and a plurality of location information (col.7, lines 58-64, col.11, lines 38-51).

Claim 10. French teaches said method wherein each of the plurality of location information includes any one of the group comprising country information, zip code information, state information, city information, time zone information, latitude information, and longitude information (col.7, lines 58-64, col.11, lines 38-51).

Claim 11. French teaches said method wherein the valid demographic information defines correlation between a plurality of area codes and a plurality of location information (col.11, lines 38-51).

Claim 12. French teaches providing user interface information to the user via a communications network, the user interface information specifying a registration interface for obtaining registration information of the user (col.5, lines 33-43, col.6, lines 13-34).

System claim 13 repeats the subject matter of method claim 1, as a set of apparatus elements rather than a series of steps. As the underlying processes of claim 1 has been shown to be fully disclosed by the teachings of French in the above rejections of claim 1, it is readily apparent that the system disclosed by French includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claim 1, and incorporated herein.

Art Unit: 3625

System claims 14-25 repeat the subject matter of method claims 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 1-12 have been shown to be fully disclosed by the teachings of French in the above rejections of claims 1-12, it is readily apparent that the system disclosed by French includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 1-12, and incorporated herein.

Claim 26 differs from apparatus claim 13 by reciting "a computer readable medium that provides instruction, which when executed on a processor..." in the preamble. As per this limitation, French's system is implemented on a computer, as it is directed to synthesizing speech automatically (col.5, lines 43-49). As such, French implicitly includes computer elements such as a programmed computer readable medium. The remainder of claim 26 repeats the limitations of claim 13, and are therefore rejected for the same reasons given above for claim 13.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over French et al. in view of Harrington et al. and further in view of Ng (US 6,405,174).

Claim 27. French and Harrington teaches all the limitations of claim 27, except that said method comprises allowing a second user of the network-based auction facility to access an indicator of verification of the user.

Ng teaches web a method for shopping over the Internet comprising allowing a second user of the network-based auction facility to access an indicator of verification of the user (col.14, lines 12-15).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to modify French et al. to include that said method comprises allowing a second user of the network-based auction facility to access an indicator of verification of the user, as disclosed in Ng, because it would allow registered users of the auction facility to rate other users, as well as view other users' ratings to obtain a better understanding of particular user's transaction behavior.

Claim 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over French and Harrington, as applied to claim 1, and further in view of Hoekstra (US 5,905,862).

Claim 28. The combination of French and Harrington teaches all the limitations of claim 28 except that the predetermined threshold is proportionate to at least one of a size of the network-based transaction facility and a type of operation of the network-based transaction facility.

Hoekstra teaches an automatic web site registration with multiple search engines wherein different types of restrictions (predetermined threshold) are applied for registering with different types of search engines (col. 9, lines 15-25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of French and Harrington to include that the predetermined threshold is proportionate to at least one of a size of the network-based transaction facility and a type of operation of the network-based transaction facility, as disclosed in Hoekstra, because it would advantageously allow to control the content of the information supplied based on the various criteria, such as adult content, security content, etc.

Regarding claim 29, see reasoning applied to Claim 28.

Response to Arguments

Applicant's arguments filed 03/24/2006 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case both references

Art Unit: 3625

relate to conducting transaction over the Internet. The motivation to modify French to include a registration of users in the auction environment, as disclosed in Harrington et al. would be the advantage of enhancing the security of the transaction system, thereby preventing financial fraud.

In response to Applicant's argument that the prior art does not teach that "wherein the predetermined threshold is proportionate to at least one of a size of the network-based transaction facility and a type of operation of the network-based transaction facility", Examiner points out that it is old and well known. For example, Hoekstra discloses a method for an automatic web site registration wherein different types of search engines are assigned different types of restrictions (predetermined threshold). The motivation of doing so would be to control the content of the information supplied based on the various criteria, such as adult content, security content, etc.

In response to Applicant's argument that prior art does not teach "allowing a second user of the network-based auction facility to access an indicator of verification of the user", Examiner points out that Ng discloses assigning ratings (indicator of verification) to the user based on the accuracy of information provided by the user. Furthermore, Ng teaches that if other (second) users accesses said information provided by the user and determine an error in said provided by the user information, it can affect said rating (indicator of verification) of the user (col. 13, lines 45-46; col. 14, lines 10-19).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

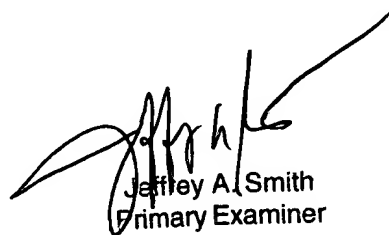
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA



Jeffrey A. Smith
Primary Examiner